

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23869  
Docket Number SG-24032

Ida Klaus, Referee

PARTIES TO DISPUTE: { Brotherhood of Railroad **Signalmen**  
{ Southern Railway Company

STATEMENT OF CLAIM: "Claim of the General **Committee** of the Brotherhood of Railroad Signalmen on the Southern Railway Company et al:

On behalf of Leading Signalman J. G. Taylor, System Signal Gang #1, for ninety (90) hours straight **time** lost account not being able to return to work on October **15, 1979**, because Carrier held up **payment** on his expense account until October **29, 1979**." (General Chairman file: **SR-147**. Carrier file: **SG-423**)

OPINION OF BOARD: The claim is for time the Claimant lost because he allegedly did not have the money to pay the expenses for travel to his system signal gang worksite. The Claimant contends that his financial distress was caused by the Carrier's **unreasonable** delay in reimbursing him for expenses already incurred.

The expenses were incurred during the period August **16** through September **15, 1979**. Payment was **made** on October 29, **1979**. The Claimant does not contest the amount paid.

The material facts concerning the reimbursement process are brief and not in dispute: The Claimant **completed** the required form on September 20. By letter dated September **26**, the Carrier advised him that certain listed expenses were unauthorized and it asked him to remove them and return **the** form for processing. A second incorrect submission was again rejected. The properly completed **form** was received **from** the Claimant on October **19** and processed for payment on October 22.

The Claimant blames the Carrier for **unduly** prolonging the reimbursement process by failing to correct the form by a telephone call to the **Claimant** instead of returning it to him by mail. The Carrier responds that the Claimant himself was responsible for the delay in the first place by including, and then failing promptly to delete, the unauthorized items.

On the facts as established in this record, responsibility for the delay in receiving **reimbursement**, and for the financial hardship it may have brought, cannot reasonably be attributed to the Carrier. Clearly, the **Claimant** held up the processing of his request by failing without good reason to comply promptly with the direction to perfect his reimbursement submission.

The evidence shows that the Carrier acted in normal and reasonable course on each submission by the Claimant until the process **was** properly completed. It would be unfair and irrational to shift the blame to the Carrier

for a late processing caused by the Claimant's error.

The Board concludes that the claim is without support in the record and cannot therefore be sustained.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

~~Tnat~~ the Carrier and the Employes involved in this dispute are respectively Carrier and Employes within the **meaning** of the Railway Labor Act, as approved June 21, **1934**;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest: Acting Executive Secretary  
National Railroad **Adjustment** Board

By Rosemarie Brasch  
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 13th day of **May**, 1932.

